

@))

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9390 of 1997

For Approval and Signature:

HON'BLE MR.JUSTICE D.H.WAGHELA Sd/-

- =====
1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the concerned : NO
Magistrate/Magistrates, Judge/Judges, Tribunal/Tribunals?
1 to 5 NO

WOOD PAPERS LTD

Versus

NATBUBHAI SUKARBHAI

Appearance:

1. Special Civil Application No. 9390 of 1997
MR YATIN SONI for Petitioner No. 1
MRS SANGEETA N PAHWA for Respondent No. 1-6/1
-

CORAM : HON'BLE MR.JUSTICE D.H.WAGHELA

Date of decision: 22/12/2004

ORAL JUDGEMENT

1. Before this petition challenging the award of the Labour Court, Navsari awarding reinstatement with full backwages to six respondents could be argued at length, it was submitted by the learned counsel on both sides that the parties have arrived at an amicable settlement as a result of which the order below the impugned award could be substituted by consent.

2. Learned counsel Mr.Soni, appearing for the petitioner, submitted, on instructions of Mr.David Paul Macwan, authorised officer of the petitioner company, who was present in the Court, that the petitioner was prepared to pay, by way of lumpsum compensation in full and final settlement of all the claims arising from service of the respondents under the petitioner, a sum of Rs.50,000/- (rupees fifty thousand) to each of the respondent-workmen. And it was submitted by learned counsel Ms.Naik, appearing for Mrs.S.N.Pahwa, representing the respondent-workmen, that the respondents concerned have agreed to accept such amount in full and final settlement of their claims against the petitioner. It was also agreed among the parties that the amount of Rs.50,000/- shall be paid to each of the respondents by a demand draft in their name to be delivered to the learned counsel for the respondents on or before 21.1.2005 and, subject to such payment being made, the award may be set aside.

3. Accordingly, the petition is disposed by consent with the direction that the parties shall abide by the aforesaid condition recorded according to their request and the impugned award dated 20.9.1987 made by the Labour Court, Navsari in Reference (LCN) No.79 of 1986 shall stand substituted by the above arrangement, subject to final payment being made by the petitioner to the respondents. Rule is made absolute with no order as to costs. Direct Service is permitted.

Sd/-

(D.H.Waghela,J.)

(KMG Thilake)